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Mortgage Corporation*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

FEDERAL HOME LOAN MORTGAGE  
CORPORATION,

Plaintiff,

v.

TOMMY SEUFER; BONNIE SEUFER; THE  
GREENBRIAR TOWNHOUSE OWNERS'  
ASSOCIATION, INC.,

Defendants.

Case No.: 2:17-cv-01827-APG-PAL

**JOINT STATUS REPORT AND  
STIPULATION AND ORDER FOR  
DISMISSAL OF CONSTITUTIONAL  
CLAIMS WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Federal Home Loan Mortgage Corporation (**Freddie Mac**), defendants Tommy & Bonnie Seufer (**the Seufers**) and The Greenbriar Townhouse Owners' Association, Inc. (**Greenbriar**), by and through their respective counsel of record, stipulate as follows:

1. This matter relates to the real property located at 225 Pecos Way, Las Vegas, Nevada 89121.

2. On October 31, 2013, Greenbriar, through its agent Nevada Association Services, Inc., recorded a Foreclosure Deed as instrument number 20131031-0003089 in the official records of Clark County, Nevada, as a non-judicial foreclosure sale occurred on October 18, 2013, and the Property reverted to Greenbriar.

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1           3.       On August 25, 2014, a Quitclaim Deed was recorded against the Property stating  
2 Greenbriar quitclaimed its interest the Property to the Seufers, as instrument number 20140825-  
3 0001593. A corrected Quitclaim Deed was re-recorded to correct the name of the grantor on October  
4 10, 2014 as instrument number 20141010-0001489.

5           4.       On July 3, 2017, Freddie Mac initiated this lawsuit against the Seufers and Greenbriar  
6 related to the effect of the HOA's foreclosure sale on the deed of trust. Freddie Mae sought, amongst  
7 other claims, Declaratory Relief under Amendments V and XIV of the United States Constitution  
8 against the Seufers and Greenbriar, and for Quiet Title under Amendments V and XIV of the United  
9 States Constitution against the Seufers.

10          5.       The parties now stipulate to dismiss Freddie Mac's Declaratory Relief claims under  
11 Amendments V and XIV of the United States Constitution against the Seufers and Greenbriar, and  
12 Quiet Title claims under Amendments V and XIV of the United States Constitution against the Seufers.

13          6.       Pursuant to the court's order, ECF No. 47, the parties further stipulate that dismissal of  
14 these constitutional claims resolves all remaining issues and claims between the parties. All that  
15 remains is for judgment to be entered in Freddie Mac's favor consistent with ECF No. 47, which  
16 granted summary judgment in Freddie Mac's favor, finding "the homeowners association's non-  
17 judicial foreclosure sale conducted on October 18, 2013, did not extinguish [Freddie Mac]'s interest  
18 in the property . . . and thus the property is subject to the deed of trust."

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DATED: October 23rd, 2018

**IT IS SO ORDERED.**

Dated: October 25, 2018.